From: Tyler Johnson
To: Microsoft ATR
Date: 1/23/02 4:02pm
Subject: Microsoft Settlement

Dear Friends,

I would like like to comment on the Proposed Final Judgment in United
States v. Microsoft.

As a software engineer with 10 years of experience programming web and
middleware applications, I feel that the Proposed Final Judgment: a)
completely fails to address the underlying conditions that caused the
action in the first place; and b) reflects a naivete of the technical
issues at hand by the parties negotiating the settlement.

Because the Proposed Final Judgment focuses on specifics, for example
narrow definitions of product classes (i.e. "middleware") and even
naming product release numbers and product names, the settlement
guarantees that by the time the settlement is signed and approved by all
relevant parties it will be out of date. Simply put, the computer
industry moves far faster than the legal and policy world where these
negotiation are taking place.Thus, the approach taken in the Proposed
Final Judgment is fundamentally flawed and should be abandoned.

Instead of defining specifics the settlement should stick to generic
definitions of software types and business practices . The will prevent
Microsoft form simply renumbering and/or renaming products to escape
complying with the Proposed Final Judgment.

In particular such a settlement that Microsoft provide full and complete
documentation of all file formats, APIs, networking and storage
protocols, etc.

Thank you for you attention in this matter. I hope you take my request
to completely scrap the current Proposed Final Judgment and genera;l
approach taken in defining the settlement seriously.

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